



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT, CIS, EXHIBITS**  
 EFFECTED (1) BY ME: **MALGORZATA SLADEK**  
 TITLE: **PROCESS SERVER**

DATE: 01/09/2008 02:56PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

 Served personally upon the defendant:BROWN BROTHERS HARRIMAN & COMPANY

Place where served:

140 BROADWAY NEW YORK NY 10005

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

JOHNNY MEJIARelationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: M AGE: 36-50 HEIGHT: 5'4"-5'8" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BROWN OTHER: GLASSES

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

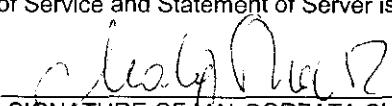
SERVICES \$ \_\_\_\_\_

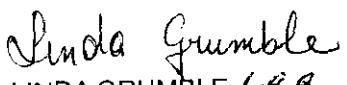
TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 1/9/2008

  
Linda Grumble L.S.  
 SIGNATURE OF MALGORZATA SLADEK  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

  
Linda Grumble  
 LINDA GRUMBLE 1-9-8  
 NOTARY PUBLIC OF NEW JERSEY  
 My Commission Expires Nov. 9, 2012

ATTORNEY: ALAN S. FELLHEIMER  
 PLAINTIFF: AXION POWER INTERNATIONAL, INC.  
 DEFENDANT: MERCATUS & PARTNERS, LTD.  
 VENUE: DISTRICT  
 DOCKET: 07 CV 11493

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

